1977, except as noted below. In addition, continued satisfaction of the requirements of part D for the ozone portion of the SIP depends on the adoption and submittal of RACT requirements by July 1, 1980, for the sources covered by CTGs issued between January 1978 and January 1979 and adoption and submittal by each subsequent January of additional RACT requirements for sources covered by CTGs issued by the previous January.

(b) Letter of February 26, 1993, from the Delaware Department of Natural Resources and Environmental Control transmitting a commitment to adopt either the Federal clean fuel fleet program or an alternative substitute program by May 15, 1994.

[45 FR 14558, Mar. 6, 1980, as amended at 58 FR 50848, Sept. 29, 1993]

§ 52.423 1990 Base Year Emission Inventory.

EPA approves as a revision to the Delaware State Implementation Plan the 1990 base year emission inventories for the Delaware ozone nonattainment areas submitted by the Secretary of the Department of Natural Resources and Environmental Control on May 27, 1994. This submittal consists of the 1990 base year point, area, non-road mobile, biogenic and on-road mobile source emission inventories in area for the following pollutants: volatile organic compounds (VOC), carbon monoxide (CO), and oxides of nitrogen (NO_X).

[61 FR 1841, Jan. 24, 1996]

§ 52.424 Conditional approval.

(a) EPA is conditionally approving as a revision to the Delaware State implementation plan the 15 Percent Rate of Progress Plan and associated contingency measures for the Delaware ozone nonattainment areas classified as severe, namely Kent and New Castle Counties, submitted by the Secretary of Delaware Department of Natural Resources and Environmental Control on February 17, 1995. EPA is also conditionally approving the I/M SIP in a separate rulemaking, as credits from that program are part of the 15 Percent RPP. By no later than one year from June 18, 1997, Delaware must submit a revised I/M SIP that meets the conditions stated in the I/M SIP final rulemaking. Once Delaware satisfies the conditions of its I/M rulemaking and receives full approval, EPA will fully approve the 15 Percent RPP SIP. Conversely, if the I/M rulemaking converts to a final disapproval, EPA's conditional approval of the 15 Percent RPP SIP would also convert to a disapproval.

(b) The State of Delaware's February 17, 1995 submittal for an enhanced motor vehicle inspection and maintenance (I/M) program, and the November 30, 1995 submittal of the performance standard evaluation of the low enhanced program, is conditionally approved based on certain contingencies.

The following conditions must be addressed in a revised SIP submission. Along with the conditions listed is a separate detailed I/M checklist explaining what is required to fully remedy the deficiencies found in the proposed notice of conditional approval. This checklist is found in the Technical Support Document (TSD), located in the docket of this rulemaking, that was prepared in support of the proposed conditional I/M rulemaking for Delaware. This checklist and Technical Support Document are available at the Air, Radiation, and Toxics Division, 841 Chestnut Bldg., Philadelphia, PA 19107, telephone (215) 566–2183. By no later than 1 year from June 18, 1997, Delaware must submit a revised SIP that meets the following conditions for approvability, with the exception of condition item in paragraph (b)(3) of this section which addresses I/M program evaluation requirements. Condition in paragraph (b)(3) of this section must be met by November 30, 1998, in keeping with the amended requirements of 40 CFR 51.353.

(1) Provide a statement from an authorized official that the authority to implement Delaware's I/M program as stated above will continue through the attainment date and provide ZIP code information for the affected counties under the I/M program.

(2) Submit to EPA adopted regulations or procedures that implement an on-road vehicle testing program and re-model its program and demonstrate compliance with the I/M parameter